

DTU/REC/PCT/PTO 13 JAN 2003

FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE
(REV. 5-93)

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

INVENTOR'S DOCKET NUMBER

5051-461XX

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)
10/030,666

INTERNATIONAL APPLICATION NO.

PCT/US 00/17975

INTERNATIONAL FILING DATE

June 30, 2000

PRIORITY DATE CLAIMED

July 14, 1999

TITLE OF INVENTION

Thermal and Ph Stable Protein Thickening Agent and Method of Making the Same

APPLICANT(S) FOR DO/EO/US

North Carolina State University

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau). Courtesy Copy
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ A **COPY** of the oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: Explanation of Fees

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.50) 10/030,666		INTERNATIONAL APPLICATION NO. PCT/US 00/ 17975		ATTORNEY DOCKET NUMBER 5051-461XX	
---	--	---	--	--------------------------------------	--

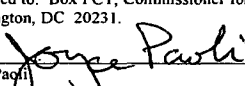
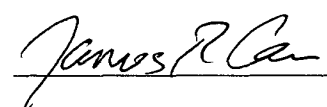
17. [X] The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO \$1040.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) \$890.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$740.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO. \$710.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS		PTO USE ONLY	
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$			
Claims	Number Filed	Number Extra	Rate				
Total Claims	5-20 =	0	X \$18.00				
Independent Claims	1-3 =	0	X \$84.00				
Multiple dependent claim(s) (if applicable)			+ \$280.00				
TOTAL OF ABOVE CALCULATIONS =							
Reduction by 1/2 for filing by small entity, if applicable. Applicant qualifies as Small Entity under 37 CFR 1.27.							
SUBTOTAL =							
Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).							
TOTAL NATIONAL FEE =							
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +							
TOTAL FEES ENCLOSED =							
				Amount to be refunded	\$		
				charged	\$		

a. [] A check in the amount of \$ to cover the above fees is enclosed.

b. [] Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0220.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO: James R. Cannon SIGNATURE Myers Bigel Sibley & Sajovec Post Office Box 37428 Raleigh, North Carolina 27627	<div style="border: 1px solid black; padding: 5px;"> "Certificate of Mailing under 37 CFR 1.8" Date of Deposit: January 7, 2003 I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box PCT, Commissioner for Patents, Washington, DC 20231. </div> <div style="text-align: center; margin-top: 10px;">  Joyce Pauli Date of Signature: January 7, 2003 </div>	<div style="text-align: center; margin-bottom: 20px;">  _____ James R. Cannon </div> <div style="text-align: center;"> 35,839 REGISTRATION NUMBER </div>
---	--	--

PTO FORM-1390 (REV. 5-93)

Attorney's Docket No. 5051-461XX

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Heather M. Hudson et al;

Confirmation No. 5677

Serial No.: 10/030,666

Filed:

For: **THERMAL AND PH STABLE PROTEIN THICKENING AGENT AND
METHOD OF MAKING THE SAME**

January 7, 2003

Box PCT

Commissioner for Patents

Washington, DC 20231


EXPLANATION OF FEES

Sir:

Enclosed are copies of (a) the originally filed Declaration and Power of Attorney for the above-identified application that has been executed by the named inventors and (b) the Missing Requirements Transmittal Form received by Applicants.

Please be advised that the undersigned believes that no fee is due for the copy of the originally filed Declaration, since the original application for which the Declaration was executed document was cross-referenced in the Preliminary Amendment filed with the National Phase Application on January 10, 2002. Any additional fee or credit may be charged to our Deposit Account No. 50-0220.


Respectfully submitted,


James R. Cannon
Registration No. 35,839

Myers Bigel Sibley & Sajovec
P.O. Box 37428
Raleigh, North Carolina 27627
Tel (919) 854-1400
Fax (919) 854-1401

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box PCT, Commissioner For Patents, Washington, DC 20231, on January 7, 2003.


Joyce Paoli

Date of Signature: January 7, 2003